

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
E/S York Road, 200 ft. N of \*  
c/l Gerard Avenue \* ZONING COMMISSIONER  
2127 York Road \*  
8th Election District \* OF BALTIMORE COUNTY  
4th Councilmanic District \*  
Legal Owner: Timonium Land Corp. \* Case No. 99-188-SPH  
Lessee: Express Fuel, Inc., Petitioner

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 2127 York Road in Timonium. The Petition was filed by the Timonium Land Corporation, property owner and Express Fuel, Inc., Lessee. Special Hearing relief is requested to approve an amendment to a previously approved special exception and variance in case No. 97-547-XA, to permit the inclusion of a carryout restaurant in combination with a fuel service station, convenience store and roll-over carwash, pursuant to Section 405 of the Baltimore County Zoning Regulations. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was J. Scott Davis, principal of both Timonium Land Corporation and Express Fuel, Inc., Petitioners. Also present was Ken Colbert, the engineer who prepared the site plan. The Petitioner was represented by Deborah C. Dopkin, Esquire. There were no Protestants or other interested persons present.

The subject site at issue is an irregularly shaped parcel, located with frontage on York Road near the Timonium State Fairgrounds in Timonium. The property is approximately .638 acres in area, zoned B.M.-A.S. The property is improved with an existing fuel service station which operates under the trade name, Petro.

ORDER RECEIVED FOR FILING

Date

By

10/29/98  
C.M. Gooch

Under zoning case No. 97-547-XA, relief was requested in order to rehabilitate and refurbish the site. That relief was granted through a Petition for Special Exception and Variance, so as to approve a convenience store and roll-over carwash in combination with a previously approved fuel service station. Variance relief was also granted from certain setback and landscape transition area requirements.

Subsequent to the issuance of that opinion, the Petitioner's engineer submitted correspondence to the Baltimore County Department of Permits and Development Management, seeking a clarification of the existing approval. Specifically, the proposed carwash building facility was slightly enlarged in order to accommodate the equipment incidental to the carwash. By letter of September 21, 1998, the Petitioner's revised plan was accepted and approved.

The matter comes before this Zoning Commissioner under the present Petition due to a proposed new use on site. In addition to the fuel service station, convenience store and roll-over carwash operation, the Petitioner is proposing to utilize a small area of the convenience store building (approx. 200 sq. ft.) for a carry-out restaurant operation. There will be no physical changes to the building, only a dedication of a small part thereof for the carry-out restaurant. It was indicated that this additional amenity would make the station more competitive and provide an additional service to patrons of the site. The previously approved variances will be ineffective by the change and, as noted above, there will be no additional construction.

Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing. The dedication of approximately 200 sq. ft. for the carry-out restaurant is appropriate and consistent with the existing and proposed uses. Moreover, the variance relief for

ORDER RECEIVED FOR FILING

Date

By

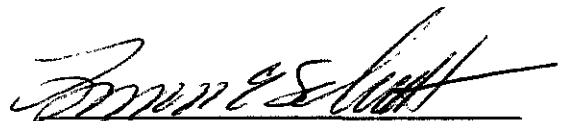
the previously approved special exception are unaffected by this change. There were no Protestants present and no adverse Zoning Plans Advisory Committee comments.

Additionally, in approving the special hearing, I shall also allow the Petitioner, up to five years to fully utilize the relief granted under the previously approved special exception. The five year period will run from the date of the prior Order issued in case No. 97-547-XA (July 29, 1997). Thus, the Petitioner shall have until July 29, 2002 to fully develop the site in the manner as shown on the site plan.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 29th day of December 1998 that, pursuant to the Petition for Special Hearing, approval to amend a previously approved special exception and variance in case No. 97-547-XA, to permit the inclusion of a carryout restaurant in combination with a fuel service station, convenience store and roll-over carwash, pursuant to Section 405 of the Baltimore County Zoning Regulations, be and is hereby GRANTED, subject to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm



Baltimore County  
Zoning Commissioner  
Office of Planning

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386

December 29, 1998

Deborah C. Dopkin, Esquire  
409 Washington Avenue  
Suite 920  
Towson, Maryland 21204

RE: Petition for Special Hearing  
Case No. 99-188-SPH  
Property: 409 Washington Avenue  
Petitioner: Express Fuel, Inc./Timonium Land Corp., Petitioners

Dear Mrs. Dopkin:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restriction, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm  
encl.

c: Mr. J. Scott Davison  
14236 Saw Mill Court  
Phoenix, Maryland 21131





# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

2127 York Road

which is presently zoned

B.M. - A.S.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an amendment to the previously approved Special Exception and Variance in Case No. 97-547-XA to permit the inclusion of a carry-out restaurant in combination with a fuel service station, convenience store and roll-over car wash pursuant to Baltimore County Zoning Regulations, Section 405.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee.

Express Fuel, Inc.

(Type or Print Name)

Signature

13814 Jarrettsville Pike

Address

Phoenix Maryland 21131

City State Zipcode

Attorney for Petitioner.

Deborah C. Dopkin, Esquire

(Type or Print Name)

Signature

409 Washington Avenue (410)494-8080

Address Suite 920 Phone No.

Towson Maryland 21204

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Timonium Land Corporation

(Type or Print Name)

Signature

Scott Davison

(Type or Print Name)

14236 Saw Mill Court (410)628-1410

Address

Phone No.

Phoenix Maryland 21131

City State Zipcode

Name, Address and phone number of representative to be contacted.

Deborah C. Dopkin, Esquire

Name

409 Washington Avenue (410)494-8080

Address Suite 920 Phone No.

Suite 920 Towson, MD 21204

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Nov 20 - Nov 29 Next Two Months

ALL OTHER

REVIEWED BY: gem DATE 11-6-98

138

44-188-SPH

Zoning Administration

Development Management

# Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

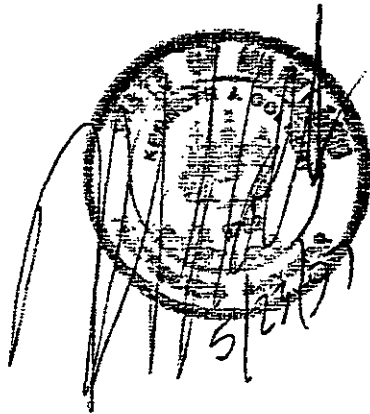


## ZONING DESCRIPTION 2127 YORK ROAD

BEGINNING AT A POINT ON THE EAST SIDE OF YORK ROAD (MARYLAND ROUTE 45) HAVING A VARIABLE RIGHT-OF-WAY WIDTH, SAID POINT BEING 200.00 FEET MORE OR LESS NORTHERLY FROM THE CENTERLINE OF GERARD AVENUE; THENCE LEAVING SAID POINT AND BINDING ALONG SAID EAST SIDE OF YORK ROAD AND RUNNING NORTH 18 DEGREES 47 MINUTES 06 SECONDS WEST 168.84 FEET; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING THE FOLLOWING COURSES AND DISTANCES: NORTH 71 DEGREES 12 MINUTES 54 SECONDS EAST 143.98 FEET; THEN SOUTH 04 DEGREES 21 MINUTES 22 SECONDS EAST 17.51 FEET; THENCE SOUTH 84 DEGREES 55 MINUTES 50 SECONDS EAST 49.51 FEET; THEN SOUTH 06 DEGREES 57 MINUTES 14 SECONDS WEST 179.75 FEET; THENCE SOUTH 86 DEGREES 55 MINUTES 44 SECONDS WEST 110.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 27,791 SQUARE FEET OF LAND MORE OR LESS.

I:\JOBS\96151.ZON



188

99-188-SPH

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

188

No. 060736

DATE 11.6.98 ACCOUNT 2001.6150

AMOUNT \$ 250.00

RECEIVED FROM: EXPRESS TAC/ INC.

(040) SPH

FOR:

00-188-SPH

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

PAID RECEIPT

PROCESSED: ACTION 100  
11/04/1998 11/04/1998 10:17:00  
RECEIVED: CASHIER 1881 INC. DEPOSIT  
5 MISCELLANEOUS CASH RECEIPT  
RECEIPT # 091770  
CR NO. 060736  
250.00 CHECK - 188  
BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

**NOTICE OF ZONING  
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-138-SPH  
2127 York Road  
E/S York Road, 200' +/- N of  
centerline Gerard Avenue  
8th Election District  
4th Councilmanic District  
Legal Owner(s):

Tritonum Land Corporation  
Contract Purchaser:  
Express Fuel, Inc.

Special Hearing: to approve  
an amendment to case number 97-547-XA to permit the inclusion of a carry-out restaurant in combination with a fuel service station, convenience store and roll-over car wash.

Hearing: Friday, December 18, 1998 at 10:00 a.m., in Room 106, County Office Building, 111 West Chesapeake Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the file and/or hearing, Please Call (410) 887-3381.

12/08 Dec. 3 0277009

# **CERTIFICATE OF PUBLICATION**

TOWSON, MD., 12/3/, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/3/, 1998.

**THE JEFFERSONIAN,**

*A. Henrickson*

LEGAL AD. - TOWSON



RE: Case No.: 99-188-SPH

Petitioner/Developer: PETRO, ETAL  
C M R.

Date of Hearing/Closing: 12/18/98

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at ONSITE E/S YORK RD.  
PAST GERARD AVE.

The sign(s) were posted on 12/1/98  
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 12/3/98  
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

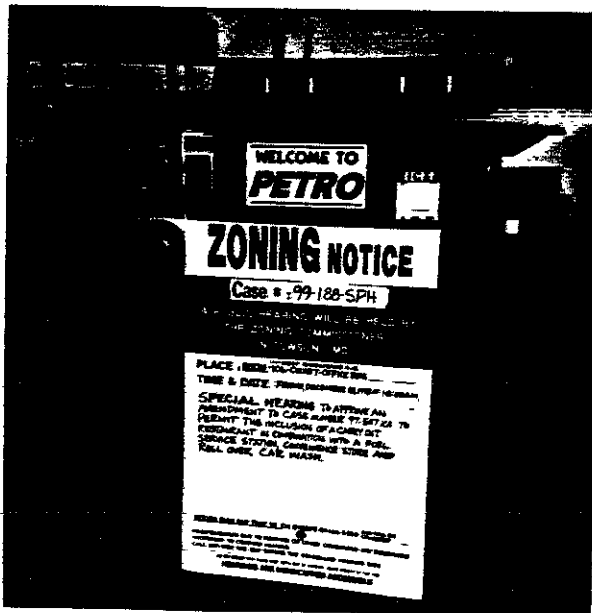
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

905-8571  
Pager (410) ~~444-6666~~

(Telephone Number)



RE: PETITION FOR SPECIAL HEARING  
2127 York Road, E/S York Road,  
200' +/- N of c/l Gerard Ave, 8th Election  
District, 4th Councilmanic

Legal Owners: Timonium Land Corp.  
Contract Purchaser: Express Fuel, Inc.

Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case Number: 99-188-SPH

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25<sup>th</sup> day of November, 1998, a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esq., 409 Washington Avenue, Suite 920, Towson, MD 21204, attorney for Petitioner(s).

Peter Max Zimmerman  
PETER MAX ZIMMERMAN



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

November 16, 1998

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-188-SPH  
2127 York Road  
E/S York Road, 200' +/- N of centerline Gerard Avenue  
8<sup>th</sup> Election District – 4<sup>th</sup> Councilmanic District  
Legal Owner: Timonium Land Corporation  
Contract Purchaser: Express Fuel, Inc.

Special Hearing to approve an amendment to case number 97-547-XA to permit the inclusion of a carry-out restaurant in combination with a fuel service station, convenience store and roll-over car wash.

HEARING: Friday, December 18, 1998 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

c.: Deborah C. Dopkin, Esquire  
Timonium Land Corporation  
Express Fuel, Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 3, 1998.**  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY  
December 3, 1998 Issue – Jeffersonian

Please forward billing to:

D. Dopkin, Esquire 410-494-8080  
409 Washington Avenue  
Suite 920  
Towson, MD 21204

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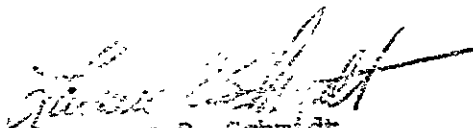
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HEARING: Friday, December 18, 1998 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue



Lawrence E. Schmidt

84  
LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

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**For Newspaper Advertising:**

Item Number or Case Number: 188  
Petitioner: EXPRESS Fuel, Inc  
Address or Location: 13814 JARRETTVILLE PK.

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: D. Dopkin Esq.  
Address: 409 Washington Ave. Ste. 920  
TOWSON, MD. 21204  
Telephone Number: (410) 494-8080

Revised 2/20/98 - SCJ

**99-188-SPH**

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than ~~XXXXXX~~

Format for Sign Printing, Black Letters on White Background:

## ZONING NOTICE

Case No.: 99-1885PH

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: \_\_\_\_\_

DATE AND TIME: \_\_\_\_\_

REQUEST: A SPECIAL HEARING TO AMEND SPECIAL  
EXCEPTION CASE 97-547-XA TO PERMIT THE  
INCLUSION OF A CARRY-OUT RESTAURANT  
WITH A FUEL SERVICE STATION:

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

**HANDICAPPED ACCESSIBLE**



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

December 11, 1998

Deborah Dopkin, Esq.  
409 Washington Avenue, Suite 920  
Towson, MD 21204

RE: Item No.: 188  
Case No.: 99-188-SPH  
Location: 2127 York Road

Dear Mrs. Dopkin:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on November 6, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)





Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
(410)887-4880

November 29, 1998

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: TIMONIUM LAND CORPORATION - 188  
CHARLES SAUNDERS AND ANGELINE SAUNDERS - 194

Location: DISTRIBUTION MEETING OF November 16, 1998

Item No.: 188 AND 194

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits  
and Development Management

**Date:** November 30, 1998

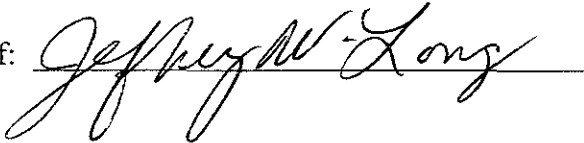
**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):  
Item No (s): ~~188~~, 209 and 212

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

A handwritten signature in cursive script, reading "Jeffrey M. Long", is written over a horizontal line.

AFK/JL

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits  
and Development Management

**Date:** November 30, 1998

**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):  
Item No (s) ~~188~~, 209 and 212

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Section Chief:

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AFK/JL

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: POM

FROM: R. Bruce Seeley *RBS/SP*  
Permits and Development Review  
DEPRM

SUBJECT: Zoning Advisory Committee  
Meeting Date: *11/16/98*

DATE: *11/24/98*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s:

*188*

*190*

*191*

*193*

*99-131-A*

*99-124-X*

RBS:sp

BRUCE2/DEPRM/TXTS8P



**Maryland Department of Transportation**  
**State Highway Administration**

Paris N. Glendening  
Governor

David L. Winstead  
Secretary

Parker F. Williams  
Administrator

Date: 11.17.94

Ms. Gwen Stephens  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 188

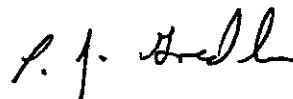
JCM

Dear Ms. Stephens:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 45 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

16 

Michael M. Lenhart, Acting Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

# Colbert Matz Rosenfelt, Inc.

*Civil Engineers • Surveyors • Planners*



September 3, 1998

Mr. Arnold Jablon, Director  
Baltimore County Department of  
Permits and Development Management  
111 W. Chesapeake Avenue  
Baltimore, MD 21204

Subject: Petro Station, 2127 York Road  
CMR No. 96151

Dear Mr. Jablon;

Pursuant to Section 405.6.a.1 of the Baltimore County Zoning Regulations, we are requesting, on behalf of the owner and operator of the subject fuel service station, that an expansion of the previously approved facility, as shown on the attached Plan, be permitted.

The Subject fuel service station has been in existence and has occupied the same property limits dating back prior to 1970. It most recently was the subject of a combined Special Exception and Variance Hearing (Case No. 97-547-XA). The purpose of this Case was to seek approval for a roll over car wash as a use in combination with a previously approved fuel service station along with variances to legitimize certain existing setback and buffer yard requirements. Both the Special Exception and the Variances were granted by the Zoning Commissioner by his Order dated July 29, 1997.

While proceeding with final design for the project, the owners discovered that the size of the car wash approved under the Special Exception (36 feet long) was insufficient to house a "roll over" car wash which provided the most current efficiencies of operation. In order to properly house a the more efficient car wash, a 50 foot long building would be needed.

The new style car wash has a potential production rate of 55 vehicles per hour. While the owners do not feel that they will reach that rate of production, the increased speed of production will significantly reduce the vehicular stacking and waiting time for a car wash. This positive impact resulting from the longer car wash building will improve the site in such a manner that the station would be "more in keeping" with the purposes of Subsection 405.4.

Subsequently I met with Mr. Carl Richards of the Zoning Office, and requested that the decision be reconsidered. Mr. Richards did not feel that the decision should be reconsidered, but did suggest that the requested expansion be addressed in accordance with Section 405.6.a.1.

Mr. Arnold Jablon  
September 3, 1998  
Page -2-

Attached is a copy of the Plan for Special Exception that was approved in Case No. 97-547-XA along with a Site Plan showing the car wash expanded to 50 feet. The proposed expansion is confined to the limits of the site as approved not only by the Special Exception, but also within the limits of the site as originally approved in 1969. The site, with the expansion in place:

- a. Conforms with the plan for the entire site as approved under the previously-mentioned Special Exception Case.
- b. Is located in a BM-AS zone.
- c. Meets the requirements set forth in Paragraph 405.4 with the exception of the requirements granted Variances in the previously-mentioned Case.
- d. Does not conflict with the terms or conditions of the previously-mentioned Special Exception and Variance Case.

Thank you for your consideration to this request. We look forward to your approval of this request.

Sincerely,



Kenneth J. Colbert  
Colbert Matz Rosenfelt, Inc.

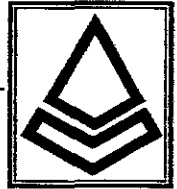
CC: J. Scott Davison  
Deborah Dopkin  
Carl Richards – Office of Zoning w / attachment  
Jeff Long – Office of Planning w / attachment  
Robert Bowling – Development Plan Review w / attachment

L:\jobs\96151

DK 11/18/98

# Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



November 18, 1998

Mr. John Lewis  
Zoning Office  
111 West Chesapeake Avenue  
Baltimore, Md. 21208

Re: Petro Station, 2127 York Road  
More-in-Keeping Plan  
Case No. 97-547-XA  
CMR Contract No. 96151

Dear Mr. Lewis:

Attached are three (3) copies of the More-in-Keeping Plan that have been signed by Planning and Public Works. Also attached are copies of our September 3, 1998 More-in-Keeping request and a copy of your September 21, 1998 approval letter.

Please sign the attached Plans and return one (1) copy to us for our records.

Thank you for your assistance in this matter. Should you have any questions, please contact us at any time.

Sincerely,



Kenneth J. Colbert, P.E.  
Colbert Matz Rosenfelt, Inc.

Enclosures

J:96151ltr.doc

PLAN APPROVED BY J. Lewis 11/24/98



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

**RECEIVED**

September 21, 1998

SEP 25 1998

Mr. Kenneth J. Colbert  
Colbert, Matz, Rosenfelt, Inc.  
2835 Smith Avenue, Suite G  
Baltimore, MD 21209

Colbert Matz Rosenfelt, Inc.

Dear Mr. Colbert:

RE: More-in-Keeping Plan, Petro Station, 2127 York Road, Zoning Case Number  
97-547-XA, 8th Election District

This response confirms this office's approval of the more-in-keeping plan provided with your letter dated September 3, 1998 concerning the car wash building addition at the above referenced site, subject to the following conditions:

1. Per 405.6 (BCZR), provide signature blocks on the plans for Planning, DPW, and Zoning Review and get Planning and DPW approval on 3 plans, which then must be submitted for Zoning Review sign off.
2. Document DRC approval with DRC number and date and include this zoning approval response on all future plans.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "John L. Lewis".

John L. Lewis  
Planner II  
Zoning Review

JLL:scj

Enclosure

c: zoning case #97-547-XA

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)





MR-1M

MR-1M

G R O U N D S

BR-1M

BR-AS

BM-AS

ROAD

Parking Area

BM

881

SITE

ORO

D.R. 55

STANFORD AVE

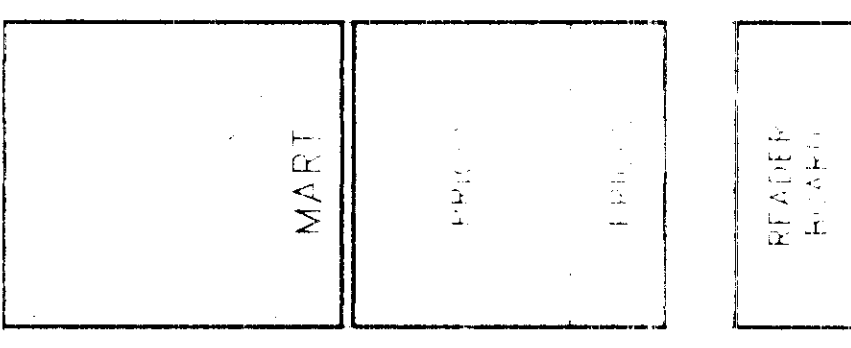
EDGE MOOR

SPH 881-66

D.R. 5

ZONING MAP

NW 14-A



POINT OF BEGINNING

ZONING HISTORY  
CASE No. 97-547-RA

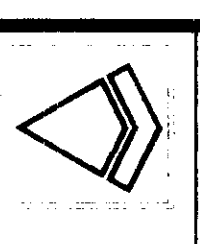
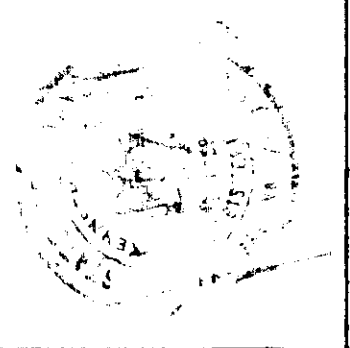
*PETITION FOR SPECIAL HEARING*

PREVIOUS COMMERCIAL PERMITS

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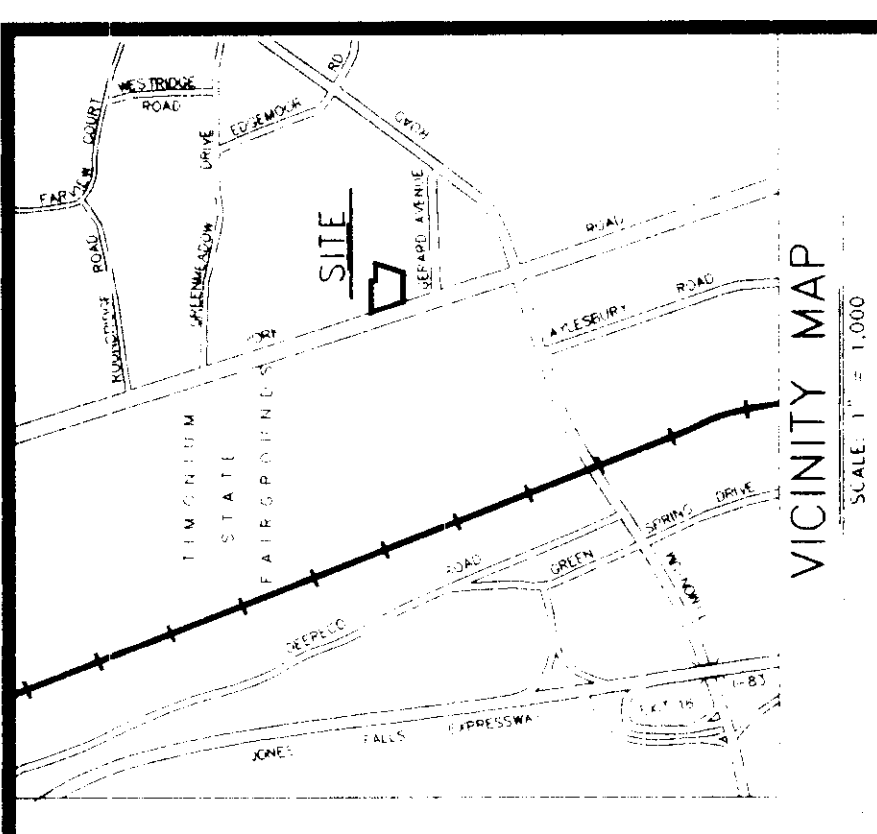
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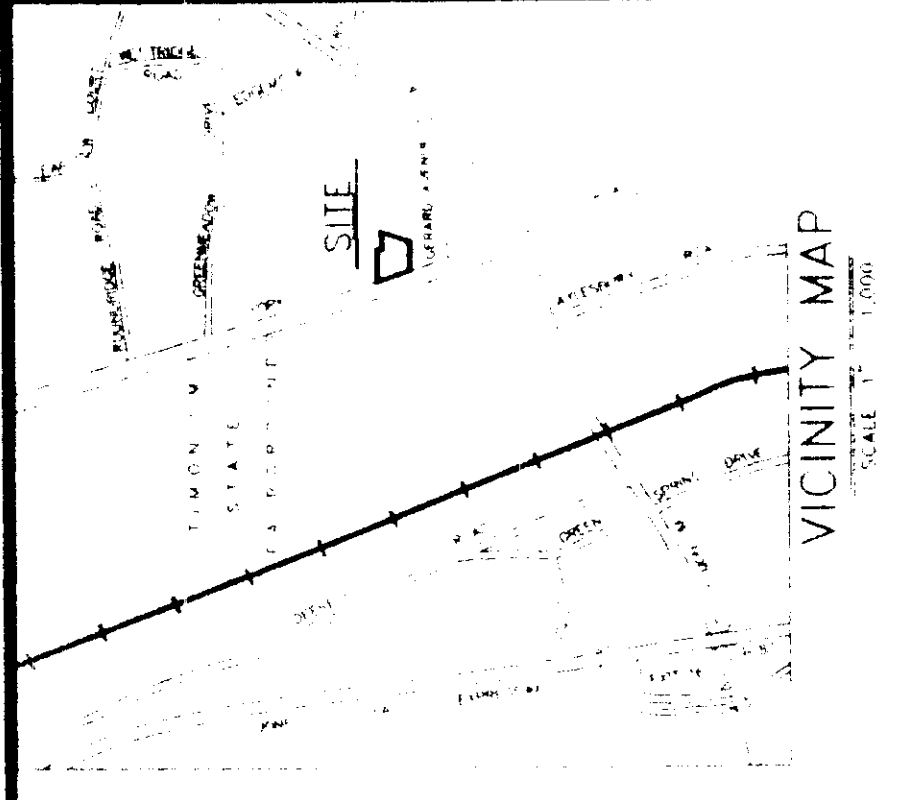
Colbert Matz Rosenfelt, Inc.



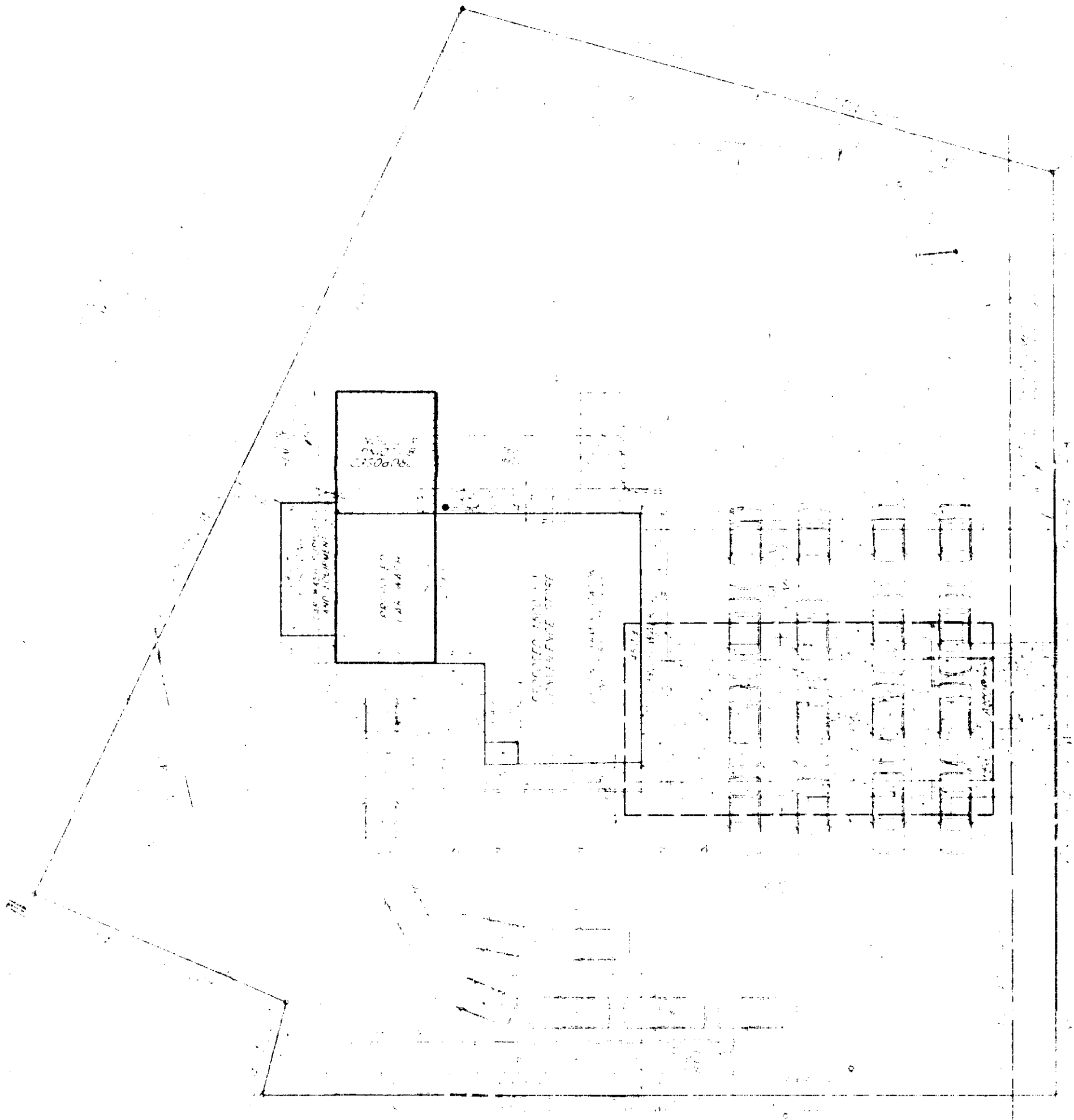
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99-188-SPH





VICINITY MAP



YORK ROAD

YORK ROAD

PROPOSED BUILDING

Richard W. Bentley  
President  
11/11/1998

PREVIOUS COMMERCIAL PERMITS

PLAN APPROVED FOR 405.16.0002 11/14/98

Colbert Matz Rosenfelt, Inc.

OFFICE OF PLANNING

DATE	BY	REVISION
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